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**SCOPE OF COMPENSABILITY IN OUR WORKERS' COMPENSATION STUDY STATES  
WHO ARE COVERED "EMPLOYEES" FOR PURPOSES OF WORKERS' COMPENSATION?  
COMPILED FROM WORKERS' COMPENSATION LAW - A STATE-BY-STATE ANALYSIS  
PUBLISHED FOR ALFA INTERNATIONAL - THE GLOBAL LEGAL NETWORK - 2006 AND THE  
WORKERS' DISABILITY INCOME SYSTEMS, INC 2005-06 WORKERS' COMPENSATION COMPENDIUM**

	EXEMPTIONS
<b>ARKANSAS</b>	Employers with fewer than 3 employees are exempt. Employers engaged in building or building repair work with fewer than 2 employees are exempt. Other exemptions include casual employment and employment not in the course of a trade, business, profession or occupation of the employer or persons who perform work while incarcerated; sole proprietors and partners are employees unless they file written notice with the Commission opting out. Executive officers of corporations or self-insured employers may waive coverage but must provide coverage for employees of business even if such waiver reduces number of employees to less than 3. Agricultural employers may voluntarily provide coverage for their employees.
<b>COLORADO</b>	Employers with fewer than 1 employee are exempt. Other exemptions include independent contractors, persons confined to jail or correctional facility, volunteers, ski operators and ski sponsored activities, drivers under a lease agreement, and persons who provide host home services.
<b>HAWAII</b>	Exemptions include real estate salespersons and brokers whose earnings are solely commissions and certain domestic or household workers.
<b>IDAHO</b>	Unless an election is made for coverage, exemptions include household domestic service; casual employment; employment of out workers; family members living within the same dwelling; family members not living in same dwelling if the employer is the owner of a sole proprietorship; employment not carried on for the sake of pecuniary gain; employment as the owner of a sole proprietorship, working member of a partnership or limited liability company, employment of an officer of a corporation who at all times during the period involved owns not less than 10% of all of the issued and outstanding voting stock of the corporation and, if the corporation has directors, is also a director thereof; employment covered by federal laws; pilots of agricultural spraying or dusting planes; associate real estate brokers and real estate salesmen; volunteer ski patrollers; and officials of athletic contests involving secondary schools.
<b>KANSAS</b>	Employers are exempt if they have a total gross annual payroll of less than \$20,000 for all workers.
<b>KENTUCKY</b>	Exemptions include domestic servants, if there are less than 2 regularly employed in a private home for 40 hours or less per week; maintenance, repair and similar employees employed in a private home if the employer has no other employees subject to the Act; services performed in exchange only for aid or sustenance received from a religious or charitable entity; participants in a car pool; employees covered by federal employers' liability legislation; any employee who elects non-coverage (rejection must be written).
<b>NORTH DAKOTA</b>	Exemptions include casual employment and employment not in the course of the trade, business, profession, or occupation of that person's employer; any person who is engaged in an illegal enterprise or occupation; the spouse or child, under the age of 22, of the employer; in general, any real estate broker or real estate salesperson; the members of the board of directors of a business corporation who are not employed in any other capacity by the corporation; any individual delivering newspapers or shopping news, if substantially all of the individual's remuneration is directly related to sales; and independent contractors.

<b>OREGON</b>	Exemptions include persons performing services while incarcerated or as part of eligibility for public assistance; domestic and household in private homes; federal employment; interstate transportation of goods if no fixed place of business is in the state; firefighters and police employees of any city with a population greater than 200,000 providing a disability and retirement system; independent contractors; certain sole proprietors, partners, limited liability members, and corporate officers; persons performing religious, charitable or relief employment for board and lodging; certain newspaper carriers; amateur athletes ; certain volunteer personnel; transportation of the public for recreational down-river boating activities; ski patrol activities; persons 19 yrs or older who contract to distribute newspapers; foster care; services under a property tax work-off program; caddies in an established program for training; referees in youth or adult recreational soccer matches; and certain language translators and interpreters.
<b>SOUTH DAKOTA</b>	Exemptions include independent contractors; elected officers of state or subdivision of government unless the governing body elects to treat these officials as employees; domestic servants; farm or agricultural laborers or work fare participants; certain students, volunteers of the state, volunteer firemen, conservation officers, and officers of corporations.
<b>TENNESSEE</b>	Employers with fewer than 5 employees are exempt, except all subcontractors and anyone engaged in the construction industry shall be required to carry workers' compensation insurance, even if they have 5 employees or less. Other exemptions include farmworkers and domestic service.
<b>UTAH</b>	Exemptions include certain farmworkers, certain domestic service, real estate agents or brokers, and sole proprietorships, temporary employees, and officers and directors of a corporation unless elections are made for coverage.
<b>WASHINGTON</b>	Exemptions include certain registered contractors or licensed electricians and electrical installations; domestic servants, home gardening and maintenance workers; employees not in the course of the trade, business, or profession of the employer; services performed in return for aid or sustenance; sole proprietors or partners, work of minor children employed by parents for agricultural activities on the family farm; jockeys; certain officers of a corporation; entertainers for specific performances; home newspaper delivery; services performed by insurance agents, brokers, or solicitors; services performed by a booth renter; and certain activities and situations for members of a limited liability corporation.
<b>WYOMING</b>	Exemptions include "non-extrahazardous" employment; casual labor; sole proprietors or partners of business partnerships; officers of a corporation unless coverage is elected; independent contractors; spouse or dependent of an employer living in the employer's household; a professional athlete; an employee of a private household; a private duty nurse engaged by a private party; federal employees; any volunteer; any adult or juvenile prisoner or probationer; any elected or appointed public official of any governmental board or commission, except for duly appointed sheriffs and county coroners; any owner and operator of a motor vehicle which is leased or contracted with driver to a for-hire common or contract carrier; any member of a limited liability company unless coverage is elected; any foster parent; and any individual providing child day care or babysitting services whose wages are paid by the WY department of family services. Any employer may elect coverage.